

# THE CELINA DEMOCRAT

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FRIDAY, May 8, 1914

## UTILITY BILL FULL OF TEETH

Winter Bill Strengthened as Reported Out by Senate Committee, and a Surprise.

Includes Successful Regulatory Features of Laws of Other States Now in Vogue.

Columbus, O.—(Special.)—The utility bill as reported out by the senate committee on railroads and telegraphs, Senator Dean, chairman, is a surprise to those who had prophesied that the measure would be weakened in the senate. The bill comes out full of teeth, having all the regulatory and supervisory powers of the most commended commission laws of other states.

It follows closely and is a composite of the older utility laws of Wisconsin and New York, takes some things from the recently enacted Michigan law, and much from the law recently passed in New Jersey through the efforts of Governor Woodrow Wilson.

Utilities that do not look with favor upon the right of the people to regulate them through a commission will not be pleased with the features of the bill providing for close supervision and the heavy fines and penalties for violations of the law.

No additional burdens are to be placed upon the taxpayers, for the expenses of the commission are to be met from a special tax levied upon the utilities affected in proportion to their gross earnings.

Railroads, express companies, telephone and telegraph companies, gas companies, traction and interurban companies, in fact, every utility serving the public for a profit, comes under the railroad commission, which is to be known hereafter as the Public Service Commission of Ohio.

Opposition to the bill is likely to come from the natural gas interests, owned by Standard Oil, in particular, because of the stringent regulatory features of the measure.

Nevertheless, the friends of state regulation are expected to pass the bill by an overwhelming vote in the senate and then have it concurred in at once by the house. The measure fulfills the party platform pledges made by both political parties last fall.

The bill as reported by the senate committee on railroads and telegraphs creates the public service commission of Ohio and divides the public service corporations of the state into two great classes, railroads and public utilities. Under the term "railroads" are included railroads, interurban and traction companies, water transportation companies, express companies and the like, and any companies operating car equipment, such as parlor, dining, sleeping cars, etc.

Under the term "public utilities" are included telephone and telegraph companies, electric light companies, heating companies, cooling or storage companies, power companies, artificial and natural gas companies, pipe line companies for the transportation of natural gas or oil, waterworks, messenger service and signaling companies. The only exceptions to the law are the utilities operating not for profit and such public utilities as may be owned or hereafter acquired by any municipality.

Commission Has Full Power.—The section giving the public service commission jurisdiction over all of these utilities is very broad and comprehensive. It shall have power, through its members or by inspectors or employees, to examine all books and records of any public utility, and to compel the production of records and the attendance and testimony of witnesses at hearings. The commission shall have power to examine and keep informed as to the general conditions of all utilities, their capitalization, their franchises, and the manner in which their properties are operated and managed.

Public to Get Facts.—The commission shall establish a system of accounts to be kept by the utilities, and

shall have the right at all times to inspect all accounts kept by utilities. Must Have Good Service at Proper Rates.—Another section provides that every public utility shall furnish necessary and adequate service and facilities which shall be just and reasonable, and every unjust or unreasonable charge for service is declared to be unlawful.

Rebates Declared Unlawful.—No public utility shall, directly or indirectly, collect or receive from any person or corporation a greater or less compensation than it receives from any person or corporation. No service or service for less than actual cost shall be furnished for the purpose of destroying competition, and all discriminatory service is declared unlawful.

Rates For Public Inspection.—Every public utility shall print and file with the commission a schedule showing all rates, charges for service of every kind, and no change shall be made in any rate unless authorized by the commission, and the commission, if it does authorize any change, may designate the time at which these changes are to take effect.

Provision For Public Hearings.—Upon complaint in writing against any utility regarding any charge or rental, the commission is to notify the utility complained of that a complaint has been made, and after full hearing may issue orders fixing what it considers a just and reasonable charge.

Council's Power to Fix Rates.—It is further provided that council of any municipality in which a public utility is established at any time within or at the expiration of any such grant between a municipality and the utility entered into under provisions of sections 3282 and 3283 of the General Code, with respect to rate or rental to be charged or collected for any service, may proceed to fix the price or rental that such utility may charge. This relates especially to gas, water and electric light companies. If there is any dissatisfaction with the rate mentioned 3 per cent of the users of such utility who are users 90 days prior to the filing of such complaint may go before the commission and demand a hearing in regard to the justice of the rate. If the commission is of the opinion, after a hearing, that the rental or charges so fixed by council are unjust or unreasonable, the commission shall, with regard to the value of the property actually used, fix a rate which will be a fair return upon the property used to furnish this service.

State Regulates Competition.—No utility shall exercise any permit, license or franchise to own or operate a plant for the furnishing of service or any product or commodity in any locality where there is in operation a utility furnishing a like service or commodity, unless such utility first secures from the commission a certificate, after public hearing, that the granting of such a franchise is proper and necessary for the public convenience.

Regulating Capitalization.—There is also a further stringent provision in the proposed act regarding the capitalization of railroads and other utilities, and it is provided that utilities may issue stocks, bonds, notes or other evidence of indebtedness at periods of more than 12 months only with the consent of the commission, and the proceeds of the sale of these securities shall not be used for any purpose except for the acquisition of property and the construction of new lines or the improvement of existing facilities or for the discharge of its obligations; and the commission shall require the utility to keep its accounts and vouchers of such expenditures in such manner as to enable the commission to ascertain the amount of money so expended and the purposes for which it was used.

Makes Penitentiary Offense.—It is provided that any director or officer of any utility who shall knowingly make any false statement to secure the issue of securities shall be guilty of a felony, and shall be fined not less than \$500, or be imprisoned in the penitentiary for not less than one year or more than ten, and fines and imprisonment are provided for officers or employees who fail to comply with orders of the commission.

Can't Capitalize Hot Air.—The commission is given the power to authorize the capitalization of any franchise whatever in excess of the amount actually paid to the state or county as a consideration for such franchise, neither shall the capital stock of a utility formed by the merger or consolidation of two or more

utilities exceed the sum of the capital stock of the utilities so consolidated, nor shall the aggregate amount of the stocks and bonds of any such consolidated utilities be increased by reason of the consolidation.

Properties Can Be Consolidated.—Whenever two or more public utilities shall be doing business in one municipality or locality they may enter into contracts with each other that will enable them to operate their service in connection with each other, and either of such utilities may purchase property, business or stock, or lease property of any other company as provided for in the case of consolidation of railroads under the laws of this state. It is further provided that after any such consolidation the rates for the same service shall not, without the consent of the commission, be increased. No utility shall merge its stock or consolidate unless duly authorized by the commission.

Annual Report For the People.—The commission shall annually make to the governor a full report of their work for the year, which shall be printed in book form for the use and information of the legislature and the general public.

The Consumer Can Appeal.—Any utility or other person, meaning any consumer or user, dissatisfied with any order of the commission with regard to any charge for service or any finding or requirement of the commission, may commence suit in the court of common pleas of Franklin county or of any county in which is located the principal office of the utility against the commission to vacate and set aside the order.

Utilities Are to Pay the Freight.—The expenditures of the commission are limited to the sum of \$75,000 per year. This sum is not to come from the taxpayers of the state, but is to be derived from taxation from the utilities thus regulated, the procedure being to have this sum apportioned by the tax commission among the railroads and utilities affected and assessed upon them in proportion to their gross earnings. Each commissioner is to receive as his compensation the sum of \$6,000 per year and the salaries of the secretary and other assistants are to be fixed by the commission with the consent of the governor, who must also consent to their appointment.



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Lots of people have showed a consuming curiosity over the Bill Bruner business, and why he wasn't elected when the gang he headed was broke up and scattered. I know why, all right, and I'm here to elucidate. I'm some patriotic, and so when old Cullen, the sheriff, hazed me into a corner at Malta and asked me if I wouldn't help round up Bill Bruner and his gang, and said his deputy was laid up with a ball on his neck, and wouldn't help him out, I permits myself to be sworn in—especially when Cullen remarks that there's good money in it if we can get him. I took the bait and collected the reward, which he said he'd split in the middle with me. Two of the Bruner gang had been pinched and sent up for six years apiece, but that didn't stack up very high, unless Bill himself was put where the coyotes couldn't bite him. So Cullen was good and anxious to gather him in; election day wasn't so far off yuh had to go to the calendar to hunt it up, and Cullen had his eye on a second shift at the sheriff's graft.

I won't say he couldn't 'a' chose a better man than me, but he must have known what he wanted in the line of deputies; and, by the way, I stood ace-high on riding and shooting and knowing the country like my letters. So I laid in a stock up shell for my sixgun and Cullen staked me to a rifle, and we loaded up a packhorse and moseyed out to uphold the majesty of the law. We started at sun-up and rode about forty miles out where the country is large and lonesome and spreads out over all outdoors, nobody laying much claim to it. Cullen said Bill Bruner was rambling around loose somewhere out that way. But, Lord! there was sure plenty of room for all of us without knocking elbows, and if we run onto him, it looked to me like it would have to be straight, fool's luck. That night we camped under a cut-bank, and I begun to feel more at home than I did in town, even if Malta ain't such a hive of humanity. Cullen seemed kinda dependent because we hadn't got sight of Bruner yet, and he wasn't the best uh company.

Second day out, it commenced to rain. We got into our slickers and plugged along, telling each other it was a good thing for the country, and we hoped it wouldn't get tired and

quit before it done any good. We was glad to see the range get a wetting up, and we didn't mind a little dampness. We camped that night on the dry side of a huddle uh rocks, and when we found something beside our matches and tobacco that would burn, we got a fire going and started in to fry bacon and boil coffee, philosophical. The coffee came out all right, but the bacon wound up more boiled than fried; the wet was coming down for keeps. We turned in, some gloomily, and slept with a lake in every hollow of the tarp we had on top uh the bed.

Next morning it was still leaking ice water, and we commenced remarking that it could quit any time now without any objections from us. It didn't though; it kept coming right down till it went through our slickers, even. Cullen quit worrying about Bill Bruner and looking for elvsa, and wanted to know if I couldn't locate a ranch close handy by. He said Bill Bruner wouldn't be dubbing around in the rain, and we'd likely find him lying low at some ranch.

I'm some patriotic, as I said; but patriotism don't flourish none on rain-water and coffee-wash and parboiled bacon. I was like Cullen; I wasn't half as anxious to come across Bill Bruner as I was to get a roof over my head, and the sooner I got it the happier I'd feel. So I says, after doing a stunt uh thinking:

"There's a ranch and an old sheep camp, both within riding distance; which one'll yuh take in yours?"

Cullen studied a minute, and I could see he was fair pinning for shelter and a square meal; and the old swine didn't give a cuss whether I got in on the comforts uh home or not. "We mustn't take no chances on missing our man," he says, judicial. "And as sheriff it's my duty to go where he's most apt t' be. So," he says, looking righteous, "guess I better head for the ranch. Yuh can take the outfit and go on to the sheep camp, and join me when the storm lets up. No objections, have yuh?"

"None whatever," says I—and I sure hadn't; for the camp wasn't more than six or eight miles, with the storm at my back. And the ranch he'd bid for was a good 15 miles, and the rain beating in his face all the way; and when yuh got there, the old fellow that owned it was one uh these arguing jaspers that'll make a man plot murder by the time he's listened to him awhile. And the grub he sets up is something fierce. No, I was dead willing to take the pack outfit and the old sheep camp for mine.

So we parted company right there, and I took the pack horse and started up the creek, and moseyed along for a mile or so, thinking how it don't pay a man to always be feeling for soft snaps. Then I turns a bend in the creek bottom I was following, and comes slap onto a suspicious-looking individual riding a K-L horse. He seen me at the same time and kinda pulled off sideways, like he was aiming to do the vanishing act. The K-L had been losing some horses, I'd heard, and the way the fellow acted didn't look good to me. So I spurs up some to overtake him.

"Hi, stranger!" I yells, "don't be in such a hurry!"

He was, though; and his hurry got more violent. So I took out my gun and cut down on him a couple uh times, and he pulled up reluctant and waited meek till I come up with him. I had a big knock that I'd made a ton strike accidental, and this was Bill Bruner. He sure eyed me unfriendly—but my gun was looking his way, so he couldn't do nothing worse than scowl.

"What d'yuh want?" growls he, nibs, giving me and my gun the bird-eye.

"I just wanted to see the color uh your hair," I smiles back. "Yuh was going so fast I couldn't make sure whether it was red or not."

He looked plumb murderous. "Well," he snorted, "if yuh've found out, I'll ride on."

"Oh, I don't know," I says. "I was thinking w'd travel together, cully. I'm plumb lonesome. What did yuh say your name was?"

"Peter Maris," he snaps. "I'm a horse buyer, and in a hurry. Ah, and



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hang yuh! what yuh holding me up this way for?"

I looked him over, and near as I could recollect, he answered Cullen's description of Bill Bruner; so I settles down to business.

"Where did yuh get that K-L horse?" I asks.

"Well," I says, "I'll gamble his owner wasn't none satisfied with the deal. But if yuh got the bill uh sale handy, dig it up; I know old Smith's handwrite."

He cussed some, but he didn't show up no bill uh sale. So I dug up the handcuffs Cullen had staked me to, and got 'em on him all right, and annexed his six-shooter. Then I headed him up creek for the camp, tickled to death at the way I'd put it all over Cullen. Yuh see, I was so new to the business I fair squeaked.

I hazed him right along, and him cussing and explaining things by turns. But his explanations sounded some thin—which I won't say for the cussing; yuh could chop off chunks uh that with an ax. When we got up to the camp, a fellow came out and stood on the dry streak under the eaves, with his thumb stuck in his chap-belt, and regarded us meditative.

"Hello, pardner!" I sings out. "Any room at the inn for me and my protee?"

He looks at the iron on my prisoner, and grins. "Sure," he says, "if yuh got yuh own blankets, and ain't no fastidious about the chuck. Say, how about smoking material? One uh the guests is plumb out and wants a smoke bad."

I got down and handed over my papers and tobacco, and told him who I'd got hobbled. He said he was almighty glad to see somebody that had nerve enough to take in Bill Bruner; he'd lost a couple uh good saddle horses himself, he said, and I could gamble he'd watch his ribs faithful while I picketed the horses.

He had a good fire going when I got in, and when I unpacked and started to cook some supper, he pitched in and mixed as good flapjacks as I ever put my teeth into. Then he helped me search Bruner; and the first pass we made, we plombed a wad that stacked up over two thousand dollars. There was also a big, wicked jack-knife, and a lot uh stuff that didn't amount to nothing.

I give the new man Bill Bruner's gun to keep whilst we stopped together; he didn't have one of his own, and he said he'd feel a heap better, camping with a horse thief, if he had something to shoot with.

So then, having warned Bill plenty, I took the hobbles off his wrists and let him eat supper. He was a surly cuss, and mighty poor company, but the other fellow and me got real sociable and acquainted. His name was Fawn Ellery, and he'd been riding for the Seventy-Nine over on the Mussel-



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## Notice of Teachers' Examinations.

Meetings for the examination of applicants for teachers' certificates, for either common, high or special, will be held at the West School Building in Celina, on the first Saturday of each month of the year. Examinations for pupils who wish to graduate from the elementary schools will be held in Celina on the third Saturday of April and the third Saturday of May. A. C. EBERT, President; S. COTTERMAN, Clerk; J. W. CLIFTON, Members of Board of County Examiners.

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